

REMARKS

Claim 5 has been canceled. Claims 1, 3, and 4 have been amended. The application now includes claims 1-4 and 6-7.

As was noted by the Examiner, the prior art of record, taken alone or in combination, fails to disclose or render obvious methods for and apparatuses for determining higher-order index distribution coefficients to define a gradient index distribution of a rod lens, where higher-order index distribution coefficients such as h_4 , h_6 and h_8 are employed. Claim 3 was allowed and claim 5 was identified as being drawn to allowable subject matter. In the office action, the specification was objected to, and the Examiner required correction of claims 3 and 5 to specify the exemplary higher order variables discussed in the specification. Claims 3 and 5 (now claim 4, amended to include the subject matter of claim 5) have accordingly been amended, and claims 3 and 4 should now be in *prima facie* condition for allowance.

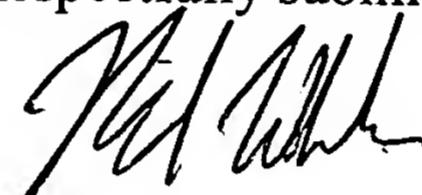
In the office action, it was noted that the specification of higher order index distribution coefficients in the preamble was not deemed to be given patentable weight. Rather, the Examiner suggested that the Yamamoto reference would fulfill the requirements of the pending claims by “just calculating a plurality of h_4 coefficients”. Therefore, to overcome the rejection of claims 1 and 2 for obviousness over Yamamoto in view of Baba and Kittaka, and the rejection of claims 4, 6, and 7 for obviousness over Yamamoto, independent claims 1 and 4 have now been amended to include the recitation of h_4 , h_6 , and h_8 . As such, the claims now specify the higher order coefficients set forth in the patent specification, and, as the Examiner will note, none of the references of record show or suggest calculating back higher-order index distribution coefficients h_4 , h_6 , and h_8 by a fitting process on the basis of said position of the paraxial focal point and said curve of curvature of field.

In view of the above, claims 1-4 and 6-7 should now be in condition for allowance. Reconsideration and allowance of the claims at an early date is requested.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



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